

UNITED STATES DISTRICT COURT

for the

District of South Carolina

Brian Keith Posey

Petitioner

v.

Warden Perry Correctional Institution

Respondent

)
)
)
)
)

Civil Action No. 5:17-cv-2851-DCN

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the petitioner (*name*) _____ recover from the respondent (*name*) _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent (*name*) _____ recover costs from the petitioner (*name*) _____.

☒ other: The Petition is dismissed without prejudice. A certificate of appealability is denied.

This action was (*check one*):

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable David C. Norton, United States District Judge. The court adopts the Report and Recommendation of the Honorable Kaymani D. West, United States Magistrate Judge.

Date: April 26, 2018

CLERK OF COURT

s/Debbie Stokes

Signature of Clerk or Deputy Clerk